

CRITERIA FOR DECENTRALIZING FEDERAL  
ACTIVITIES FROM THE  
NATION'S CAPITAL

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TWENTY-SEVENTH REPORT  
BY THE  
COMMITTEE ON GOVERNMENT  
OPERATIONS



SEPTEMBER 26, 1962.—Committed to the Committee of the Whole House  
on the State of the Union and ordered to be printed

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## LETTER OF TRANSMITTAL

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HOUSE OF REPRESENTATIVES,  
*Washington, D.C., September 26, 1962.*

Hon. JOHN W. McCORMACK,  
*Speaker of the House of Representatives,*  
*Washington, D.C.*

DEAR MR. SPEAKER: By direction of the Committee on Government Operations, I submit herewith the committee's twenty-seventh report to the 87th Congress. The committee's report is based on a study made by its Government Activities Subcommittee.

WILLIAM L. DAWSON, *Chairman.*





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## CRITERIA FOR DECENTRALIZING FEDERAL ACTIVITIES FROM THE NATION'S CAPITAL

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SEPTEMBER 26, 1962.—Committed to the Committee of the Whole House on the State of the Union and ordered to be printed

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Mr. DAWSON, from the Committee on Government Operations,  
submitted the following

### TWENTY-SEVENTH REPORT

BASED ON A STUDY BY THE GOVERNMENT ACTIVITIES  
SUBCOMMITTEE

On September 24, 1962, the Committee on Government Operations had before it for consideration a report entitled "Criteria for Decentralizing Federal Activities From the Nation's Capital." Upon motion made and seconded, the report was approved and adopted as the report of the full committee. The chairman was directed to transmit a copy to the Speaker of the House.

### I. BACKGROUND

In mid-1961 the National Capital Planning Commission and the National Capital Regional Planning Council issued a report entitled "A Plan for the Year 2000—the Nation's Capital" which discussed the future growth of the Washington metropolitan area and recommended policies for the region's future development. The report prognosticated that by the year 2000 the National Capital region probably will have 5 million residents (150 percent increase over 1960), and the number of Federal civilian employees in the region will reach 450,000 (about double over 1960), assuming there are no major wars or depressions. This large growth in population and Federal civilian employment would obviously have a considerable impact on the Nation's Capital, upon the people who live there, and upon the functions, operations, and efficiency of the Federal Government. Such growth would involve the concomitant problems of a growing metropolis—traffic congestion, inadequate water, pollution of both air and the water supply, great sewage disposal problems, vanishing open

space, crowded schools and other municipal facilities, suburban sprawl, excessive density downtown, rising taxes, obsolescence, blight, the strains of urban renewal, and the tasks of devising governmental techniques for solving new local problems.

The act of July 19, 1952 (66 Stat. 781, D.C. Code, sec. 1-1001, et seq.), requires "comprehensive planning for the physical development of the National Capital and its environs." The statute directs that "each Federal and District of Columbia agency prior to the preparation of construction plans originated by such agency for proposed developments and projects or to commitments for the acquisition of land \* \* \* shall advise and consult with" the National Capital Planning Commission on plans and programs "which affect the plan and development of the National Capital." The statute further directs that where such plans affect the metropolitan area outside the District, the Planning Commission should consult with the National Capital Regional Planning Council (which consists of representatives of the principal local government units in the Washington metropolitan area) and the appropriate planning agency having jurisdiction over the area that would be affected (66 Stat. 781, 787, D.C. Code, sec. 1-1005).

In view of the prognostications in the Year-2000 report, the Committee on Government Operations sought to ascertain the criteria by which, and the manner in which, the Federal Government would deal with the problem of locating new facilities for Federal agencies. The committee found in its initial survey that no such criteria existed, and that the plans considered by the planning agencies are often merely sketchily outlined. Therefore, on July 19, 1961, Hon. Henry S. Reuss, of Wisconsin, a member of this committee, introduced H.R. 8248, 87th Congress, entitled, "A bill to amend the Federal Property and Administrative Services Act of 1949 to provide an orderly program of decentralization and relocation of facilities and personnel of executive agencies." Congressman Reuss' bill was designed to help prevent unnecessary concentration of Federal facilities and employees in the Washington, D.C., metropolitan area. It would establish a special office in the President's Executive Office (a) to coordinate the planning of the physical location and relocation of Federal facilities with respect to the Washington metropolitan area, and (b) to establish criteria for determining what governmental functions should continue to be carried on in the Washington metropolitan area. The Reuss bill expressly stated that its guiding principle was "to assure that no additional facilities will be established in the Washington metropolitan area if their functions can be carried on with equal or greater efficiency elsewhere." It suggested that some of the criteria in arriving at such judgment should include (1) the availability of new communications technology, (2) the possibility of utilizing small offices in Washington to effect liaison with larger numbers of personnel elsewhere, (3) the possibility of efficiency resulting from agency operations closer to the areas, industries, or people affected by the agency, (4) the availability elsewhere of adequate office space, employee housing, school and other community facilities, etc., and (5) the needs of other cities or areas for additional employment opportunities.

The Government Activities Subcommittee of this committee conducted hearings on November 29 and 30, 1961, concerning the Reuss bill (H.R. 8248) and the subject of decentralization and dispersal of



Federal agencies from Washington. Testimony, statements, and letters were received from a wide variety of agencies and persons interested in the planning and development of the Nation's Capital, and appear in the printed hearings. During these hearings, a representative of the Budget Bureau testified that as a result of the committee's initiation of this study, President Kennedy appointed an ad hoc committee to examine the problems of providing additional Federal office space, and that the Budget Bureau was then preparing criteria to assist that Bureau, the General Services Administration, the National Capital Planning Commission, and the various agencies of the Government to evaluate what activities or agencies of the Federal Government could be located outside the Washington metropolitan area.

On June 1, 1962, President Kennedy released a report by the Ad Hoc Committee on Federal Office Space,<sup>1</sup> and stated that "future planning for the acquisition and use of office space is to be guided by the findings and recommendations of this report." The report of the Ad Hoc Committee dealt with the problem of office space in the Washington metropolitan area, suggested priorities for meeting critical needs, discussed the possibilities and limitations of decentralizing Federal activities from the Washington metropolitan area, considered the role of the General Services Administration in space assignment and utilization, recommended guiding principles for Federal architecture, and discussed the redevelopment of Pennsylvania Avenue which connects Capitol Hill and the White House.

This report summarizes the views of the Committee on Government Operations concerning the establishment of criteria for the possible decentralization of Government activities in the Nation's Capital and for dealing with some of the aspects of the burgeoning growth of the Washington metropolitan area.

<sup>1</sup> The Committee consisted of Secretary of Commerce Luther H. Hodges, Secretary of Labor Arthur J. Goldberg, Budget Bureau Director David E. Bell, Administrator of General Services Bernard L. Boutin, and Special Assistant to the President Timothy J. Reardon, Jr.



## II. WASHINGTON, D.C.—THE NATION'S CAPITAL

The District of Columbia has somewhat less than 800,000 people within its boundaries. During the decade 1950-60, the National Capital region population increased from about 1½ million to over 2 million people. The public and private facilities needed to serve this growth also have increased, and many additional improvements and growth are now required in transportation, office space, utilities, housing, etc. As the metropolitan center for these 2 million people, the District of Columbia is the heart of one of the Nation's 10 largest metropolitan regions.

Nevertheless, as the seat of the National Government, the National Capital region continues to provide the setting for the headquarters operations of the Federal Government, with its specialized functions and special needs. Visitors from all over the world admire its monumental buildings and national shrines and its natural and historic features. They must be vigilantly guarded and protected from blight and deterioration, and new developments in the metropolitan region should embody the high standards befitting a great capital. The entire region, also, should be maintained as a good place in which to live, work, play, visit, and do business. The future of Washington is therefore the business of Congress and the Nation.

The information produced at the committee hearings, as well as the projections shown in the Year-2000 Plan, make it clear that the future growth of the Nation's Capital will depend on many factors affecting metropolitan growth. Among these factors are: the national "population explosion," improvements in communication and transportation, the rate and amount of increase in government employment, the large growth of light industry and service occupations, the new employment and recreation patterns resulting from new or improved technology and increased leisure time, national defense needs, etc. The Year-2000 Plan, as well as the testimony at the hearings, indicate that during the next 40 years a workable, livable, and attractive metropolis can be developed in the National Capital region, with considerable increase in population integrated into new urban and suburban development, and without artificial limitation on Federal employment, if there is coordinated planning of transportation, business sites, residential housing, and other development programs. If the population of the Washington metropolitan area increases to 5 million persons, as envisaged in the Year-2000 report, it is certain that many problems must be faced and solved in order to insure a proper environment suitable for the Nation's Capital.

In this growth Government employees in the Nation's Capital will continue to be a large share of the region's total number of workers, larger in proportion to nonpublic employees than in most other large cities. It is, therefore, clear that the location of new Government agencies, as well as the decentralization of Government agencies now in Washington, offer unique opportunities for the Federal Government to exert great influence on the future patterns of the Washington metropolitan region. In essence, the future development of the Nation's Capital can be markedly improved by applying orderly and intelligent criteria concerning the location of Government agencies

and their employees rather than simply allowing every governmental agency, untrammelled by plans and coordination, to plunk its buildings and units at random and at whim into the valley of the Potomac.

In view of the large growth projected for both the population of the United States (which is expected to double in approximately 40 years) and the consequent increase which may be expected in the size of the Federal establishments, the committee believes that greater attention must be given to the possibilities and the problems of decentralizing additional agencies of the Federal Government from the District of Columbia, both in terms of efficient operation of the various Federal agencies and in the light of the impact of such growth on the National Capital area. For Washington, like virtually every large city in the United States, faces great problems in the orderly control of its potential population growth.

### III. PRESENT STATUS OF FEDERAL AGENCY DECENTRALIZATION

Prior to World War II, there were more Federal employees in the Metropolitan Washington, D.C., area than in any single State.<sup>2</sup> There were no stated policies or criteria to govern the location of agencies and personnel, and no significant effort to reconcile the varying actions taken by different agencies.

The emergency created by World War II stimulated the first substantial program of decentralization to alleviate the shortage of office space and housing for the employees of the burgeoning defense and war agencies in Washington. Under this war emergency program, some 33,000 positions in about 40 agencies were transferred out of Washington to various cities (e.g., Asheville, N.C.; Atlanta; Baltimore; Chicago; Cincinnati; Columbus, Ohio; Denver; Greensboro and High Point, N.C.; Kansas City, Mo.; Los Angeles; Newark, N.J.; New Orleans; New York City; Philadelphia; Pittsburgh; St. Louis; Richmond, Va.; Winston-Salem, N.C.).<sup>3</sup> About 17,000 employees and their families actually moved out from the Washington area with their agencies, and others shifted to war agencies or other employment. Many of the agencies, but less than one-third of the decentralized positions, were returned to Washington after World War II.

But even more than the decentralization, the vast growth of the Federal establishment caused by World War II and subsequent expansion of the Federal Government's responsibilities have drastically changed the geographic distribution of Federal employees. The result is that the Federal Government is at the present time largely decentralized, both in its staff and its activities, and most of the Federal agencies perform a significant proportion, in some cases a major proportion, of their functions through regional and field office organizations.

Some agencies (e.g., Tennessee Valley Authority, Bonneville Power Administration) are entirely located in the region of the country which they primarily serve. Other agencies whose operations are national in scope (e.g., Atomic Energy Commission, National Aeronautics and Space Administration, Bureau of Old-Age and Survivors Insurance, Railroad Retirement Board, Central Intelligence Agency, National Security Agency) also have their headquarters and virtually all their personnel outside the District of Columbia.

<sup>2</sup> Monthly Labor Review, Department of Labor (April 1942).

<sup>3</sup> Hearings, House Appropriations Committee on Independent Offices Appropriation Bill for 1945, 78th Cong., 2d sess., pp. 876-880 (Dec. 14, 1943).

#### IV. DECENTRALIZATION CRITERIA RECOMMENDED BY THE PRESIDENT'S AD HOC COMMITTEE

The Ad Hoc Committee which President Kennedy appointed, after this committee initiated its inquiry into the subject of decentralization, admitted in its report (p. 7) that—

although a decentralization policy is of fundamental political and managerial significance, no general decentralization policy exists today in the executive branch collectively or in the agencies individually. Rather, the present pattern of operations reflects the needs of, and pressures on, individual agencies and their constituent units.

The Ad Hoc Committee's report explored the problem of decentralization primarily in relation to meeting the space requirements of Federal agencies within the Washington metropolitan area. Specifically, the Ad Hoc Committee considered the following:

1. What are the factors that favor decentralizing Federal activities to other parts of the country?

2. What are the advantages of locating Federal agency activities in the Washington area?

3. What are the criteria which may be used to test the feasibility of removing whole agencies or segments of agencies from or into the Washington area?

4. What policies guide executive branch decentralization activities?

5. How should policies be modified and improved? What effect on Washington area employment can be expected?

After reviewing the history of decentralization efforts in the early 1940's and the early 1950's and the considerable decentralization already characterizing the Federal Government, the Ad Hoc Committee stated (a) that it did "not recommend another across-the-board drive for decentralization," and (b) that "selective steps can and should be taken, where the facts support such action, to relocate activities which can carry on their operations effectively outside of Washington to the advantage both of the Federal Government and the National Capital area." The Ad Hoc Committee's report further pointed out that a propitious time to consider decentralization is when new agencies or major new functions are being created. The Ad Hoc Committee, therefore, stated the following seven conclusions:

1. The Federal Government is already largely decentralized, with over 90 percent of its employees located outside the Washington, D.C., area.

2. Decentralization, while it deserves increased attention by Department and agency heads, and can contribute to the orderly development of the metropolitan area, is not a panacea for the Washington space problem.

3. Policy guidelines should be adopted for use by the executive branch. These should emphasize criteria for determining the location of Federal activities.

4. A "crash" effort to decentralize is not desirable. Rather, the procedure should be deliberately selective and



agencies should apply the criteria to their operations prior to the request for more space or facilities to carry on new or expanded activities or to consolidate existing activities.

5. The General Services Administration should utilize the general criteria in its continuing investigation of public building needs and providing for the construction and acquisition of buildings.

6. The Bureau of the Budget should continuously review and refine the criteria, conduct surveys to determine the effectiveness of agency practices, identify agencies or parts of agencies which fit the criteria for relocation, and review agency requests for new space and facilities in the light of the criteria.

7. The National Capital Planning Commission and the National Capital Regional Planning Council should be guided by the criteria in reviewing Department and agency proposals for new projects and installations within the area and in developing comprehensive plans for the development of the District and the National Capital region.

The Ad Hoc Committee thereupon enunciated some 18 criteria or principles which should be considered in determining whether or not to decentralize particular agencies, or parts of agencies, from the National Capital area. The Ad Hoc Committee pointed out that the criteria were not "wholly objective tests" and that they must be "carefully balanced and weighed" in terms of—

1. the needs of the executive branch as a whole, and the Congress;
2. the needs of the agency itself; and
3. the needs of the clientele served by the particular agency.

These criteria were stated as follows:

### DECENTRALIZATION

A function is presumed to be susceptible to decentralization when:

1. It is engaged in operations to carry out established policies and programs within well-defined areas, such as administration of research and development contracts, and industrial and commercial activities, and requires only limited headquarters supervision.
2. It provides large-scale supporting services of a relatively repetitive or routine nature, such as (1) records maintenance; (2) procurement and inventory control; (3) training, including the operation of schools; (4) public works and maintenance, including administration of real property and related engineering services; (5) financial accounting and disbursing activities; and (6) statistics and data collection and related fact-gathering and processing operations.
3. It operates in a relatively self-sufficient manner having only limited intra- or inter-agency day-to-day working relationships.
4. It requires close coordination with other governmental (Federal, State, and local) and nongovernmental activities within a given geographical area.



5. It requires close coordination or working relationships with other Federal activities which are also susceptible to decentralization and could be moved to a common location outside of the National Capital area.

6. Small liaison offices in Washington could meet headquarters needs.

7. It consists of administration of functions in a particular region or other limited geographical area.

8. It is a direct service or other governmental function affecting citizen-clients in local areas of the country which can be administered in accordance with uniform national policies.

9. Other locations have available office space, and other necessary special facilities, housing for employees, and required community facilities without overburdening the jurisdictions affected.

10. Administrative economies (e.g., travel, communications, rental, recruiting) and efficiencies (e.g., speed of decisionmaking and service to the public, free headquarters staff for higher priority functions) can be achieved and costs of relocation are not unreasonable.

### CENTRALIZATION

A function is not susceptible to decentralization when—

1. It is directed to meeting the needs of the President, the Congress, and agency heads for consultation, direction, and fixing of responsibility for governmental action.

2. It is concerned with establishing major national policies, developing broad principles and programs of national application.

3. It is of a regulatory or adjudicatory nature requiring uniformity of policy in ultimately dispensing rights or penalties.

4. It requires close coordination, working relationships, or communication with (a) other headquarters activities of the agency; (b) other headquarters agencies responsible for programs which could affect the activity; (c) the Congress; or (d) nongovernmental organizations.

5. It is concerned with exercising general supervision over agency operations throughout the country and assuring that these operations are in accord with general national policies.

6. It needs to be protected from undue influence or excessive accommodation at the local level to interest group pressures.

7. The costs of decentralization would clearly be excessive or prohibitive, including replacement of specialized physical facilities, and operating costs, including recruitment, training, relocation, travel, communications, and disruption of current operations.

8. Workload would not justify development of specialized staffs on a decentralized basis.

## V. THE CENTRAL CRITERION

The Ad Hoc Committee's report recognized (at p. 8) that the central criterion of a proper decentralization policy is that action be taken, "where the facts support such action, to relocate activities which can carry on their operations effectively outside of Washington to the advantage both of the Federal Government and the National Capital area." The Ad Hoc Committee thus, in effect, concurred with the following statement by the representative of the Bureau of the Budget who testified at the hearings (p. 67) as follows:

The Bureau of the Budget fully agrees with the need to formulate sound guidelines for determining what governmental functions should be carried on within the National Capital region and to take fully into account the advantages and disadvantages of selective decentralization. We believe that any decentralization policy should provide for maintenance and fostering of effective and responsive operation of the Federal Government at the seat of government and decentralization of activities which can be conducted as well or better in places other than the National Capital region.

The committee endorses the central criterion expressed by the Ad Hoc Committee and the Bureau of the Budget—that every Government agency should be decentralized when it can be conducted as well elsewhere and to the advantage of both the Federal Government and the National Capital area.

However, the committee believes that the Ad Hoc Committee, in restricting itself largely to the space requirements and efficiency of operation of the Federal Government, failed to express the main reasons which establish why this criterion states a policy in the best interests of the United States.

The committee believes:

1. This policy will aid in protecting the Nation's Capital from overpopulation and thereby help to preserve open space and reduce urban congestion and suburban sprawl. It should minimize many of the problems which afflict a giant metropolis, including heavy traffic, inadequate water, pollution of both air and the water supply, great sewage disposal problems, vanishing open space, crowded schools and other municipal facilities, excessive density downtown, rising taxes, obsolescence, blight, the strains of urban renewal, and the tasks of devising governmental techniques for solving new local problems.

2. This policy will promote a more effective contribution by Federal employees to the development of local communities in other parts of the country, by stabilizing employment, contributing to the local tax base and economy, and strengthening the cultural opportunities of the community in which they are stationed.

3. This policy will promote additional positive values of decentralization. Some of these are: More direct and speedier service to and contact with the public; reduced costs of management and operation;

availability of more office space; improved coordination with governmental units and private business in the local areas being served; better understanding with and by local people; greater democracy; and reduced pressure for rapid growth in the National Capital area.

Although most of the 18 specific criteria recommended by the Ad Hoc Committee are useful, some of them are debatable. For example, centralization criterion No. 3 states that regulatory or adjudicatory functions requiring uniformity of policy in dispensing rights or penalties must be kept in Washington. The committee does not believe this is necessarily so under all conditions.

Moreover, the Ad Hoc Committee criteria do not recognize that certain strategic and defense activities of the Government, subject to military discretion, may remain in Washington in the event of war conditions, regardless of other considerations. The problems of decentralization and dispersal of Government agencies and functions to reduce risk of enemy destruction are not only enormous but are intimately commingled with the whole problem of civil defense, and apply to private as well as public facilities. However, the committee believes that this matter should be fully and seriously considered in arriving at any decisions on the location or transfer of Government functions, facilities, and personnel. Consideration also should be given to the effects which the deceleration of growth of the Federal establishment will have in the National Capital region, including the effect on private industry and employment.

## VI. LEGAL AUTHORITY TO EFFECT DECENTRALIZATION OF FEDERAL GOVERNMENT AGENCIES FROM THE DISTRICT OF COLUMBIA

This report has discussed the criteria which the President or his delegated representative should consider in deciding which Federal agencies, or parts thereof, ought to be decentralized from the District of Columbia. But the fact that the President or his representative gives consideration to such criteria, or arrives at an opinion as to which agencies should be decentralized, does not mean that the President or his representative can legally make such decentralization effective without authority of Congress.

Ever since 1790, the law has prescribed that the District of Columbia shall be "the permanent seat" of the Federal Government and that all Federal offices shall be exercised in the District and not "elsewhere." These requirements, first set forth in the act of July 16, 1790 (1 Stat. 130), were codified in sections 1795, 1796, and 4798, Revised Statutes (1873), and are now codified in title 4, United States Code, sections 71, 72, and 73 (act of July 30, 1947, ch. 389, 61 Stat. 641, 643). The latter sections read as follows:

*SEC. 71. Permanent seat of government.*

All that part of the territory of the United States included within the present limits of the District of Columbia shall be the permanent seat of government of the United States.

*SEC. 72. Public offices; at seat of government.*

All offices attached to the seat of government shall be exercised in the District of Columbia, and not elsewhere, except as otherwise expressly provided by law.

*SEC. 73. Same; removal from seat of government.*

In case of the prevalence of a contagious or epidemic disease at the seat of government, the President may permit and direct the removal of any or all the public offices to such other place or places as he shall deem most safe and convenient for conducting the public business.

Although President Franklin D. Roosevelt transferred numerous agencies from the District of Columbia during World War II, and although various other efforts toward decentralization have been made since then from time to time, there has been no clear-cut resolution as to the scope of the President's power to decentralize Government agencies without specific congressional authority.

President Roosevelt's World War II decentralization produced extensive debate in the Senate, in mid-January 1942, on Senator McCarran's effort, embodied in Senate Resolution 216, 77th Congress, 2d session, to reverse the President's transfer of Government agencies out of the District of Columbia as being "without authority of law." Those who opposed Senate Resolution 216 defended the President's



action primarily on the basis of the President's authority (a) as Commander in Chief of the Nation's war efforts, i.e., the war power, (b) as head of the executive branch of government, and (c) under title I of the First War Powers Act of December 18, 1941 (55 Stat. 838, sec. 2; 50 U.S.C. App. 601-605) which authorized the President to "coordinate, or consolidate any executive or administrative" agencies, "to transfer any duties or powers" from one agency to another, and to transfer personnel, "either by detail or assignment," together with records and public property. It was also argued that transferring *parts* of a department to areas outside the District of Columbia would not violate a statute prescribing that the department shall be located at the seat of government. The resolution was defeated on January 14, 1942, by a vote of 33-26, largely because it was felt that the resolution would impede the war effort (88 Congressional Record 345). The question was not raised again during World War II; and Congress passed no legislation or resolutions either explicitly authorizing or explicitly forbidding the President to transfer agencies out of Washington. The World War II transfers were financed from emergency funds appropriated for use by the President, and none of the appropriation acts explicitly provided for moving expenses.

After World War II, when many of the transferred agencies and bureaus were brought back to the District of Columbia, the Public Buildings Administration or the Bureau of the Budget in many instances consulted with various House and Senate committees or subcommittees concerning the return of the agencies.<sup>4</sup> In several instances Congress appropriated funds specifically earmarked for "return of departmental functions to the seat of government" (act of May 18, 1946, 60 Stat. 186; act of July 30, 1947, 61 Stat. 594).

In addition, Congress has enacted several laws pertinent to the question of decentralization. Thus, the National Security Act of July 26, 1947 (61 Stat. 495, 499, ch. 343; 50 U.S.C. 404(c)(6)) provided that the National Security Resources Board (whose functions have since been transferred to the Office of Emergency Planning) should advise the President concerning the "strategic relocation of industries, services, government, and economic activities, the continuous operation of which is essential to the Nation's security." Section 210(e) of the Federal Property and Administrative Services Act of June 30, 1949, as added by the act of September 5, 1950 (64 Stat. 578, 582-583, ch. 849; 40 U.S.C. 490(e)) authorizes the Administrator of General Services, pursuant to directives of the President and after consultation with the heads of affected agencies, "to assign and reassign space of all executive agencies in Government-owned and leased buildings in and outside the District of Columbia upon a determination by the Administrator that such assignment or reassignment is advantageous to the Government in terms of economy, efficiency, or national security."

More recently, in the Public Buildings Act of September 9, 1959 (73 Stat. 479, 480; 40 U.S.C., sec. 606a), Congress enunciated a policy "to insure the equitable distribution of public buildings throughout the United States with due regard for the comparative urgency of need for such buildings," and specified that no appropriation may

<sup>4</sup> Hearings, House Appropriations Committee, on the following bills: In 79th Cong., 2d sess.: Independent Offices, 1947, p. 277 (Dec. 4, 1945); Second Deficiency, 1946, pp. 69-80 (Feb. 28, 1946). In 80th Cong., 1st sess.: Independent Offices, 1948, pp. 728-731 (Apr. 23, 1947). In 80th Cong., 2d sess.: Independent Offices, 1949, pp. 668-669 (Jan. 12, 1948). In 81st Cong., 1st sess.: Independent Offices, 1950, p. 713 (Feb. 14, 1949).



be made to construct or acquire any public building involving an expenditure in excess of \$100,000 unless first approved by resolutions of the House and Senate Committees on Public Works. The act also provided (sec. 8; 40 U.S.C. 607(a)) that the Administrator of General Services may not acquire real property within the District of Columbia outside a specifically defined area within the District. The latter restriction was repealed by the act of June 8, 1962 (76 Stat. 92, Public Law 87-476; see S. Rept. 1370 and H. Rept. 1611, both in the 87th Cong.).

In addition, since 1949 each annual Independent Offices Appropriation Act has contained a general provision specifically providing that none of the funds therein appropriated may be used for purchasing real estate or for the purpose of establishing new offices outside the District of Columbia, except for programs which Congress has approved and made appropriations therefor.<sup>5</sup>

During 1950-51, Congress devoted considerable time to the question of authorizing dispersal and decentralization of certain agencies to areas outside the District of Columbia. The House Appropriations Committee disallowed a request for \$20 million to finance a proposed program of decentralization of some 19,000 positions, stating that no funds should be provided until "basic legislation providing for a comprehensive program is enacted" (H. Rept. 298, 82d Cong., 1st sess., p. 24). A bill was introduced (S. 218, 82d Cong.) to authorize decentralization and dispersal of Federal agencies. Although the Senate committee report recommending S. 218 asserted that section 210(e) of the Federal Property and Administrative Services Act, *supra* (40 U.S.C. 490(e)) provided "adequate" authority for a decentralization program to move agencies from the District of Columbia to other cities or locations throughout the country, the committee report concluded that the bill was necessary because "the authorization should be made crystal clear" (S. Rept. 216, 82d Cong., 1st sess., p. 9). However, after extensive debate in the Senate on April 18-23, 1951, the bill was recommitted to committee by a vote of 45-39 (97 Congressional Record 4175). Thereafter, the Congress inserted a provision in the Supplemental Appropriations Act for fiscal year 1952, specifically stating that "no part of this appropriation shall be available to effect the moving of Government agencies from the District of Columbia to accomplish the dispersal of departmental functions" (act of November 1, 1951 (65 Stat. 744)).

The Congress has in recent years enacted legislation specifically authorizing various agencies and bureaus to establish headquarters outside the District of Columbia (e.g., Central Intelligence Agency,<sup>6</sup> Atomic Energy Commission<sup>7</sup>).

This extensive legislative history emphasizes that any Executive effort to decentralize a governmental agency to a place outside the District of Columbia should seek the consent of Congress unless specific statutory authority already exists for decentralization of the particular agency.

<sup>5</sup> 63 Stat. 656; 64 Stat. 721; 65 Stat. 283; 66 Stat. 412; 67 Stat. 313; 68 Stat. 294; 69 Stat. 212; 70 Stat. 352; 71 Stat. 238; 72 Stat. 1076; 73 Stat. 513; 74 Stat. 440; 75 Stat. 359.

<sup>6</sup> Act of July 15, 1955 (69 Stat. 349, sec. 401).

<sup>7</sup> Atomic Energy Act, as amended on Aug. 30, 1954 (68 Stat. 925, 42 U.S.C. 2033); act of May 6, 1955 (69 Stat. 47); act of July 17, 1957 (71 Stat. 307).

## VII. CONCLUSIONS

The committee believes that the Federal Government should give continued study to the development of full and adequate criteria for arriving at soundly based judgments for recommending further decentralization and dispersion of Federal agencies and personnel. The Budget Bureau and the General Services Administration are appropriate agencies to undertake guidance and coordination of agency plans on this matter. In doing so, they should work closely with the National Capital Planning Commission and the National Capital Regional Planning Council which are charged by statute with the responsibility of "comprehensive planning for the physical development of the National Capital and its environs," a responsibility which includes the "conservation of the important natural and historical features" of the Nation's Capital (National Capital Planning Act of July 19, 1952, 66 Stat. 781, 782, secs. 1 and 2; D.C. Code, secs. 1-1001, 1-1002).

The executive agencies of the Federal Government have begun to develop decentralization criteria, as a result of the stimulation provided by Congressman Reuss' bill and the committee's interest and inquiry. Development of such criteria will, the committee hopes, aid in producing an effective decentralization policy for the Federal Government agencies. The committee assumes that the agencies will continue to study and develop the matter more fully. Accordingly, the committee believes, and Congressman Reuss concurs, that action on the Reuss bill should be deferred to await further development of these administrative studies concerning formulation of decentralization policy and criteria.

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